

SENATE BILL 78

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11r0789
CF HB 220

By: **Senator Simonaire**

Introduced and read first time: January 20, 2011

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 15, 2011

CHAPTER _____

1 AN ACT concerning

2 **Anne Arundel County Board of Education – Member Reappointment and**
3 **Terms**

4 FOR the purpose of providing that a member of the Anne Arundel County Board of
5 Education is eligible for nomination and reappointment under certain
6 circumstances; ~~prohibiting an individual from serving as a board member for~~
7 ~~more than a certain number of consecutive terms~~ clarifying that a certain
8 provision of law provides for the term of a member; making a certain stylistic
9 change; making certain conforming changes; and generally relating to the
10 reappointment and terms of the members of the Anne Arundel County Board of
11 Education.

12 BY repealing and reenacting, without amendments,

13 Article – Education

14 Section 3–108(c)

15 Annotated Code of Maryland

16 (2008 Replacement Volume and 2010 Supplement)

17 BY repealing and reenacting, with amendments,

18 Article – Education

19 Section 3–110

20 Annotated Code of Maryland

21 (2008 Replacement Volume and 2010 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article – Education**

4 3–108.

5 (c) (1) Each member serves for a term of 5 years beginning July 1 after
6 the member’s appointment and until a successor is appointed and qualifies.

7 (2) The Governor shall appoint a new member to fill any vacancy on
8 an appointed board for the remainder of that term and until a successor is appointed
9 and qualifies.

10 (3) Unless otherwise disqualified under this section, a member of a
11 board is eligible for reappointment. However, an individual may not serve for more
12 than 2 consecutive terms.

13 3–110.

14 (a) (1) The Anne Arundel County Board consists of 9 members who shall
15 be appointed as follows:

16 (i) 3 from the county at large;

17 (ii) 1 each from legislative districts 30, 31, 32, 33, and that
18 portion of legislative district 21 that lies within Anne Arundel County; and

19 (iii) 1 student member.

20 (2) Except for the student member, the Governor shall appoint a
21 member of the county board from a list of nominees submitted by the School Board
22 Nominating Commission of Anne Arundel County as provided in subsection (b) of this
23 section.

24 (b) (1) (i) There is a School Board Nominating Commission of Anne
25 Arundel County.

26 (ii) The purpose of the Commission is to select nominees to be
27 recommended to the Governor as qualified candidates for appointment to the Anne
28 Arundel County Board of Education.

29 (iii) The Commission shall hold at least two public hearings on
30 the selection of nominees before recommending to the Governor nominees for
31 appointment to the county board.

1 (2) (i) The Commission consists of 11 members who shall be
2 appointed in accordance with this paragraph.

3 (ii) The Governor shall appoint five members, one from each
4 legislative district that lies in whole or in part in Anne Arundel County.

5 (iii) The County Executive of Anne Arundel County shall appoint
6 one member from the county at large.

7 (iv) The following organizations shall each appoint one member:

- 8 1. The Teachers Association of Anne Arundel County;
- 9 2. The Annapolis and Anne Arundel County Chamber of
10 Commerce;
- 11 3. The Anne Arundel County Council of Parent Teacher
12 Associations;
- 13 4. The Anne Arundel County Community College Board
14 of Trustees; and
- 15 5. The Association of Educational Leaders (AEL).

16 (3) (i) The Governor shall designate as chair of the Commission
17 one of the five members appointed by the Governor under subsection (b)(2)(ii) of this
18 section.

19 (ii) The term of the chair of the Commission is 4 years.

20 (iii) The Governor may reappoint the chair of the Commission for
21 a second term.

22 (iv) The term of a member of the Commission is 4 years.

23 (4) The Department of Legislative Services shall provide staff for the
24 Commission.

25 (5) Beginning January 1, 2008, for each nomination to the county
26 board, the Commission shall submit to the Governor a list of nominees that contains:

27 (i) At least two names for each vacancy; or

28 (ii) If there are fewer than two applicants for a vacancy, the
29 number of names that is equal to the number of applicants for the vacancy.

1 (c) (1) Following the [initial] appointment of a member of the Anne
 2 Arundel County Board of Education by the Governor, a member may ~~continue to~~ serve
 3 for the remainder of the member's [first] term, **AS PROVIDED IN § 3-108(C) OF THIS**
 4 **SUBTITLE**, subject to the approval or rejection of the registered voters of the county at
 5 the next general election.

6 (2) ~~(I) [A] UNLESS OTHERWISE DISQUALIFIED UNDER THIS~~
 7 ~~SECTION, A~~ member of the county board [may serve for a second consecutive term
 8 subject to the approval of or rejection by the registered voters of the county at the next
 9 general election] **IS ELIGIBLE FOR NOMINATION AND REAPPOINTMENT FOR A**
 10 **SECOND CONSECUTIVE TERM IN ACCORDANCE WITH THE PROVISIONS OF**
 11 **SUBSECTIONS (A) AND (B) OF THIS SECTION.**

12 ~~(II) AN INDIVIDUAL MAY NOT SERVE FOR MORE THAN TWO~~
 13 ~~CONSECUTIVE TERMS.~~

14 (3) (i) The approval or rejection of a member of the county board by
 15 the registered voters of the county provided for in subparagraph (ii) of this paragraph
 16 shall be a vote for the member's retention or removal.

17 (ii) On receipt of the notice required under § 5-301(h) of the
 18 Election Law Article, the name of the member of the county board shall be placed on
 19 the appropriate ballot and shown, without opposition, and the voters shall vote for or
 20 against the member's retention as a member of the county board.

21 (4) If the voters reject the retention of the member, or the vote is tied:

22 (i) The position shall become vacant 10 days after certification
 23 of the election returns; and

24 (ii) The member serves until a successor is appointed and
 25 qualifies.

26 (d) (1) The student member shall:

27 (i) Be a regularly enrolled senior year student of good character
 28 and in good standing in an Anne Arundel County public high school;

29 (ii) Be selected in the student's junior year by a method selected
 30 by the Chesapeake Regional Association of Student Councils of Anne Arundel County;

31 (iii) 1. Serve a term of 1 year; and

32 2. Continue to serve after graduation and until a
 33 successor is appointed and qualifies.

1 (2) If a vacancy in the position of the student member occurs during
2 the term of the student member, the Chesapeake Regional Association of Student
3 Councils shall:

4 (i) Conduct a special election at its next general meeting; and

5 (ii) By utilizing the same method that it used to select the
6 previous student member of the board, select another student member to fill the
7 vacancy.

8 (e) A board member who does not maintain the residency qualification shall
9 be replaced as a member.

10 (f) If the boundary line of a legislative district changes, an incumbent
11 member of the county board who, because of the change, no longer resides in the
12 legislative district from which the member was appointed may complete the term.

13 (g) (1) The President of the Anne Arundel County Board of Education is
14 entitled to receive \$8,000 annually as compensation and, except for the student
15 member, the other board members are entitled to receive \$6,000 each annually as
16 compensation.

17 (2) A student member who completes a full term on the board shall be
18 granted a scholarship of \$6,000 to be applied toward the student's higher education
19 costs.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 July 1, 2011.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.